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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,444	06/24/2003	Michael D. Oldham	100200681-1	9424

7590 12/10/2009  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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ADDY, THUAN KNOWLIN

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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12/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/602,444

**Applicant(s)**

OLDHAM ET AL.

**Examiner**

THJUAN K. ADDY

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5, 6 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 5 and 15-20 is/are allowed.
- 6) ☒ Claim(s) 6 and 8-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on September 08, 2009 has been entered. Claims 1-3, 6, and 15 have been amended. Claims 4 and 7 have been cancelled. No claims have been added. Claims 1-3, 5, 6, and 8-20 are now pending in this application, with claims 1, 6, 8, and 15 being independent.

### ***Allowable Subject Matter***

2. Claims 1-3, 5, and 15-20 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: The invention as now claimed is not disclosed nor rendered obvious in view of the prior art of record. As to independent claim 1, the prior art of record fails to teach or suggest, alone or in combination, the recited method of routing voice communications comprising establishing a first path between a remote originating node and a gateway using a first channel of a circuit-switched network, wherein the gateway is communicatively coupled to the circuit-switched network and a packet-switched network, converting first circuit-switched voice data received from the circuit-switched network on the first channel into packet-switched voice data, converting the packet-switched voice data into second circuit-switched voice data for any packet designating the remote answering node as a destination node, and routing the second circuit-switched voice data to the remote destination node across the circuit-switched network

on the second channel. As to independent claim 15, the prior art of record fails to teach or suggest, alone or in combination, the recited apparatus for communicating between first and second nodes of a circuit-switched network coupled to a packet-switched network comprising wherein the gateway conversion means is communicatively coupled to the second node using a second channel of the circuit-switched network, wherein the gateway conversion means converts first circuit-switched voice data originating from one of the first and second nodes into packetized voice data, and routing means for routing packetized data, wherein the routing means routes packetized voice data on the packet-switched network, designating one of the first and second nodes as a destination node to the gateway conversion means, if the destination node is determined to be local to the gateway conversion means. No prior art was found that discloses or teaches the limitations of claims 1 and 15

4. Claims 2, 3, 5, and 16-20 are dependent upon claims 1 and 15, respectively, therefore, claims 2, 3, 5, and 16-20 are allowed.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 6 and 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Armistead (US Patent Application, Pub. No.: US 2005/0025134 A1).
6. In regards to claim 6, Armistead discloses a method of routing voice communications between first (See Fig. 4 and calling party 20) and second (See Fig. 4 and called party 22) nodes of a communication system, comprising: a) converting first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data; and b) routing the packet-switched voice data to the second node, only if the second node is local to a gateway, on a packet-switched network (See pg. 1, paragraph [0008]; pg. 2, paragraph [0020]; and pg. 2, paragraph [0026]); converting the packet-switched voice data into second circuit-switched voice data if the second node is remote to the gateway; and routing the second circuit-switched voice data to the remote second node across the circuit-switched network (See pg. 1, paragraph [0010]).
7. In regards to claim 8, Armistead discloses the apparatus for communicating between two nodes (See Fig. 4, calling party 20, and called party 22) of a

communication system, comprising: a gateway (See Fig. 7 and gateway 60), wherein the gateway converts first circuit-switched voice data received from a remote first node on a first channel of a circuit-switched network to packet-switched voice data, wherein the gateway converts the packet-switched voice data to second circuit-switched voice data for any packet designating a remote second node, wherein the gateway communicates the second circuit-switched voice data to the remote second node using a second channel of the circuit-switched network (See pg. 2-3, paragraph [0027] – [0028]).

8. In regards to claim 9, Armistead discloses the apparatus wherein the packet-switched voice data is routed to a local second node using a packet-switched network for any packet designating the local second node (See pg. 3, paragraph [0028]).

9. In regards to claim 10, Armistead discloses the apparatus wherein at least one of the first and second nodes is communicatively coupled to the gateway through both the circuit-switched network and the packet-switched network (See Fig. 4).

10. In regards to claim 11, Armistead discloses the apparatus wherein the first channel carries analog data on an analog subscriber line (See pg. 2, paragraph [0019]).

11. In regards to claim 12, Armistead discloses the apparatus wherein the first channel carries digital data on a digital subscriber line (See pg. 2, paragraph [0019]).

12. In regards to claim 13, Armistead discloses the apparatus wherein the digital subscriber line is time division multiplexed (e.g., TDM) (See pg. 2, paragraph [0025]).

13. In regards to claim 14, Armistead discloses the apparatus wherein the first channel defines a connection between the gateway and subscriber equipment of the

first node, wherein the subscriber equipment is a selected one of a modem, telephone, and facsimile apparatus (See Fig. 4, calling party 20, and called party 22).

### ***Response to Arguments***

14. Applicant's arguments with respect to claims 1-3, 5, 6, and 8-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614